

The Office Action states that currently no claims are generic. Applicants respectfully disagree. At least Claims 1, 5, 12, 16 and 46 are believed to be generic since each of these claims includes no material element additional to those recited in the species claims and comprehends within its confines the organization covered in each of the species. See MPEP § 806.04(d). Claims 1, 5, 12, 16 and 46 are believed to be allowable and upon the allowance of any of these claims, Applicants submit that they are entitled to the allowance of all claims directed to the species encompassed by those claims. See MPEP § 806.04(d).

Applicants traverse the election requirement on the grounds that there would not be a serious burden on the Examiner to examine the four species in a single application. In particular, it is Applicants' prerogative to present claims directed to a "reasonable" number of species for examination in a single application. See 37 C.F.R. § 1.141. In this application, four species have been identified by the Examiner, which is believed to be fully "reasonable" and further is not believed to be unduly burdensome on the Examiner.

Reconsideration and withdrawal of the election requirement are therefore respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 46174 v 1